



remy green <remy@femmelaw.com>

Adam White

Gideon Oliver <Gideon@gideonlaw.com>

Tue, Mar 19, 2024 at 2:59 PM

To: "hmisra roman-law.org" <hmisra@roman-law.org>, "hroman roman-law.org" <hroman@roman-law.org>

Cc: remy green <remy@femmelaw.com>, Regina Yu <regina@femmelaw.com>, "Hiraoka JR., Joseph (LAW)" <jhiraoka@law.nyc.gov>

Hi Kris,

Thanks for these. Unfortunately, many of the deficiencies we discussed remain, including, but not limited to, the following:

1. The supplemental responses contain prohibited general objections;
2. The supplemental responses still contain boilerplate objections;
3. The supplemental responses do not state what, if anything, Defendant Klein is withholding based on each objection (or any of them); and
4. The supplemental responses do not comply with the requirement that, "if the objection recognizes that some part of the request is appropriate the objection should state the scope that is not" objectionable and actually produce responsive information and documents related to the unobjectionable part.

Beyond that, many of the supplemental responses interpose objections that are improper. For example, Defendant Klein repeatedly purports to object to interrogatories and document requests, claiming they seek information or documents that are not within his possession, custody, or control. However, *none* of the interrogatories or document demands seek any information nor documents other than information and documents in his possession, custody, or control. Setting that aside, because Defendant Klein's objections on this ground do not say what (if anything) Defendant Klein is withholding, it is impossible for Plaintiff to know whether Defendant Klein has any responsive documents and information. If Defendant Klein has no responsive documents or information, the revised responses should have said so.

We discussed these "big picture" problems with you during our previous meet and confer. Defendant Klein should have corrected them in these supplemental responses. Under the circumstances, we intend to make a motion focusing on Interrogatories 17-19 and 22 and Document Responses 9-10, 12, 16-17, 19-23, 29-30, 40-41, 56-57, 60-61, 65-66, and 68-70.

When you were going to provide these revised responses on 3/15, we were going to meet again on 3/18 to the extent there were outstanding deficiencies.

Please let us know when you are available this week to have that meet and confer. We intend to move forward with Defendant Klein's deposition as scheduled and would like to file a motion ASAP in advance thereof.

[Quoted text hidden]